

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Hirsch, Alan R.
 Serial No. : 09/211,507
 Filing Date : December 14, 1998
 For : Use of Odorants to Alter Blood Flow to the Vagina
 Group Art Unit : 1651
 Confirmation No. : 9827
 Examiner : TATE, Christopher Robin
 Attorney Docket No.: INS-31061

FAX RECEIVED

SEP 23 2002

GROUP 1600

#29
S.G.J
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OFFICIAL

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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37 CFR 1.8(a)

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transmitted by facsimile to (703) 872-9307 addressed to Examiner C. Tate at the U.S. Patent and Trademark Office.

Date: 9-23-02

Transmission
Patricia Lange Pickens

Assistant Commissioner for Patents
 Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
 (37 C.F.R. 1.191)

09/25/2002 GTRAMMEL NOTE 004 An appeal may be based on one rejection in a prior application and one rejection in a continuing application. Notice of Oct. 10, 1997, 62 F.R. 53131, at 53167.

01 FC:219

160.00 CH

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. Notice of Oct. 10, 1997, 62 F.R. 53131, at 53167.

Sir:

Applicant hereby appeals to the Board from the decision of the Examiner, mailed June 24, 2002, finally rejecting Claims 1, 2, 4-6, 9-11, 35, and 39-44.

USSN 09/211,507

*Notice of Appeal**The item(s) checked below are appropriate:***1. STATUS OF APPLICANT**

This application is on behalf of

- [] other than a small entity.
 [X] a small entity.

A statement:

- [] is attached.
 [] was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Appeal Brief is:

- | | |
|-------------------------------|----------|
| [X] small entity | \$160.00 |
| [] other than a small entity | \$320.00 |

Notice of Appeal fee due \$160.00**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) [] Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[] one month	\$110.00	\$55.00
[] two months	\$400.00	\$200.00
[] three months	\$920.00	\$460.00
[] four months	\$1,440.00	\$720.00
[] five months	\$1,960.00	\$980.00

Fee \$ _____

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Notice of Appeal

If an additional extension of time is required, please consider this a petition therefor.
(check and complete the next item, if applicable)

- (a) An extension for _____ has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 160.00

Extension fee \$ -----

TOTAL FEE DUE \$ 160.00

5. FEE PAYMENT

Attached is a check in the sum of \$ _____

Charge Account No. 23-2053 the sum of \$ 160.00

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in resuming the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G 31-33.

- If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 23-2053.

AND/OR

- If any additional fee for claims is required, charge Account No. 23-2053.

Dated: September 23, 2002

Kristine M Strothoff
Kristine M. Strothoff, Reg. No. 34,259

P.O. ADDRESS:

WHYTE HIRSCHBOECK DUDEK S.C.
111 East Wisconsin Avenue, Suite 2100
Milwaukee, Wisconsin 53202
(414) 273-2100

Customer No.: 29423

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